

UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE

Karen S. Bartlett, et al.

v.

Civil No. 08-cv-00358-JL

Mutual Pharmaceutical
Company, Inc., et al.

O R D E R

As discussed with the parties at oral argument on October 30, 2009, in light of this court's recent order granting supplemental discovery to the plaintiffs because of a defense discovery error,¹ the court hereby enters the following amended scheduling order:

- Fact Discovery Completion
(Except for Court-Ordered
Supplemental Discovery): **November 15, 2009**
- Plaintiffs' Expert Depositions
Complete: **November 18, 2009**
- "DiBenedetto" Disclosure: **November 18, 2009**
- Defendants' Supplemental
Court-Ordered Production: **December 17, 2009**
- Plaintiffs' Expert Report
Supplementation (If Necessary
In Light of Court-Ordered
Supplemental Discovery): **January 8, 2010**

¹Document no. 97.

- Plaintiffs' Supplemental Expert Depositions Completed (If Necessary In Light of Expert Report Supplementation): **January 22, 2010**
- Defendants' Expert Report Supplementation: **January 29, 2010**
- Defendants' Expert Depositions Completed: **February 12, 2010**
- Expert Discovery Completion: **February 12, 2010**
- Completion of All Discovery: **February 12, 2010**
- Challenges to Expert Testimony: **February 19, 2010**
- Summary Judgment: **February 26, 2010**
- Motions in Limine: **20 days prior to Final Pretrial Conference. Response/Objections due 10 days prior to Final Pretrial Conference.**
- Jury Selection: **June 2, 2010**

Expert depositions. The parties shall take immediate steps to schedule all remaining expert depositions within the deadlines set forth above, including plaintiffs' supplemental expert depositions (which will be limited to one half-day of 3.5 hours each) and defendants' expert depositions. The court is unlikely to grant further extensions of the deposition deadlines.

Discovery disputes. As is the court's practice, discovery disputes will continue to be handled by the undersigned judge, as opposed to the Magistrate Judge, in the normal course. Motions to compel are disfavored. The party or counsel seeking

discovery-related relief should confer with adverse counsel to choose mutually available dates, and then contact the Deputy Clerk to schedule a conference call with the court. The court will inform counsel and parties what written materials, if any, should be submitted in advance of the conference call.

Customary motions to compel discovery, while disfavored by the undersigned judge, are nonetheless permissible. If counsel prefer traditional discovery litigation to the conference call procedure set forth above, any such motion to compel should expressly request, in the title of the motion, a referral to the United States Magistrate Judge. Such referral requests will normally be granted.

SO ORDERED.



Joseph N. Laplante
United States District Judge

Dated: November 6, 2009

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